

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

158C0781

SENATE BILL NO. 178

Introduced by: Senator Dunn (Jim)

1 FOR AN ACT ENTITLED, An Act to repeal certain provisions relating to nutritional programs
2 for the elderly.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 28-1-42 be repealed.

5 ~~—28-1-42. The state agency designated to administer the older Americans program shall~~
6 ~~develop a plan for a year-round hot meal program for the elderly and for such other nutritional~~
7 ~~programs for the elderly as may be deemed necessary.~~

8 Section 2. That § 28-1-43 be repealed.

9 ~~—28-1-43. Any program for the nutritional needs of the elderly shall be made available to~~
10 ~~persons sixty years of age or over and the spouses of such persons, who are unable to eat~~
11 ~~adequate and nutritionally balanced meals because they cannot afford to do so; are unable to~~
12 ~~select and prepare nourishing and well balanced meals; are unable to shop and cook for~~
13 ~~themselves due to limited mobility or because the mental and emotional effects of age obliterate~~
14 ~~the incentive to prepare and eat a nutritionally balanced meal; or because other physiological;~~
15 ~~psychological, social or economic changes caused by the aging process cause or tend to cause~~
16 ~~malnutrition and further physical and mental deterioration.~~

17 Section 3. That § 28-1-45 be amended to read as follows:

28-1-45. The secretary may adopt reasonable and necessary rules for the administration and operation of the program for adults and the elderly which shall relate to the following areas:

- (1) Services to enable recipients to remain in their own home and services to older persons in institutional care;
- (2) Legal services;
- (3) Transportation services;
- (4) Nutrition services ~~as provided in §§ 28-1-42 and 28-1-43;~~
- (5) Information and referral services to help the elderly gain access to programs for their benefit;
- (6) Eligibility for services;
- (7) Amount, scope, and duration of services;
- (8) The basis of payment to and the qualifications for providers of services;
- (9) Administration of public grants, record keeping, and audit requirements;
- (10) Requirements to obtain federal financial participation and ensure efficient operation and administration of the program;
- (11) Adult protective services;
- (12) Ombudsman services; and
- (13) Payments for elderly, blind, and disabled persons residing in adult foster care or assisted living centers.